

### REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on March 6, 2003, and the references cited therewith.

Claims 1, 9, 11, 12, 15 and 17 are amended. Claims 23-26 are added. As a result, claims 1-26 are now pending in this application.

#### §112 Rejection of the Claims

Claims 9-12 and 15-17 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The amendments to claims 9 and 15 are believed to overcome such rejection. The amendments are not being made in response to art, and are not believed to affect the intended scope of the claims from that originally submitted.

#### §102 Rejection of the Claims

Claims 1-3, 13 and 14 were rejected under 35 USC § 102(a) as being anticipated by Zakaria, Nguyn or Lin. Claim 1 has been amended and is believed to render the rejection moot. None of the references are believed to control electrostatic coupling as claimed in claim 1.

Zakaria describes vibrator elements "which each form one plate of an electrostatic transducer." Col. 7, lines 55 et seq. Electrostatic coupling of the elements is achieved by a plate 37. However, there is no suggestion of controlling the electrostatic coupling. Nguyn et al. shows two resonators coupled mechanically by element 104 in FIG. 8, however, no electrostatic coupling between the resonators was found. Lin et al. is a "micromechanical filter" where "mechanical coupling between the input and output transducers include planar flexures. Abstract. None of the references are believed to control electrostatic coupling between two resonators as claimed in claim 1 and dependent claims 2-3 and 13-14.

#### §103 Rejection of the Claims

Claims 4-6 were rejected under 35 USC § 103(a) as being unpatentable over Zakaria, Nguyen or Lin. Since claims 4-6 depend from claim 1, they are believed patentable for at least the reasons presented above.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Serial Number: 10'034594

Filing Date: December 28, 2001

Title: MULTIPLE MECHANICAL RESONATOR PARAMETRIC DEVICE

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Dkt: 1153.037US1

Allowable Subject Matter

Claims 7 and 8 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 15-17 were indicated to be allowable if rewritten or amended to overcome the rejection(s) under 35 USC § 112, second paragraph, set forth in this Office Action.

Claims 18-22 were allowed.

New claims 23-26 have been added and are believed to distinguish the cited art at least for reasons similar to claim 1.

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Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-373-6972) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743


Respectfully submitted,

ANATOLI OLKHOVETS ET AL.

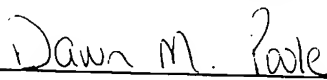
By their Representatives,


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Date 5-22-2003

By   
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22<sup>nd</sup> day of May, 2003.

  
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